

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

**DISTRICT OF COLUMBIA,
Plaintiff,**

vs.

**FACEBOOK, INC.,
Defendant.**

Case number: 2018 CA 008715 B

Judge Fern Flanagan Saddler

ORDER

This matter is before the Court based upon Defendant Facebook, Inc.'s Motion for a Protective Order and to Stay Discovery, filed on February 1, 2019, and Plaintiff District of Columbia's Opposition thereto, filed on February 15, 2019. The parties came before the Court for a Motion hearing on March 6, 2019.

In the instant motion, Defendant requests that an order staying discovery be issued pending resolution of Defendant's Motion to Dismiss, which is currently pending before this Court. Defendant argues that staying discovery will conserve the Court's and the parties' resources, and that it is routine for District of Columbia courts to grant stay orders pending resolution of dispositive motions. Additionally, Defendant contends that proceeding with discovery would be particularly burdensome for Defendant at this stage of the lawsuit. Defendant further argues that two other matters involving Defendant, namely, a multi-district litigation (MDL) lawsuit in the Northern District of California and a Federal Trade Commission (FTC) investigation, involve similar allegations and complaints against Defendant. Defendant argues that the Court should stay the present proceedings pending resolution of these other matters.

Plaintiff opposes Defendant's motion on grounds that the MDL lawsuit and FTC investigation are irrelevant to the instant case. Plaintiff notes that the MDL lawsuit involves

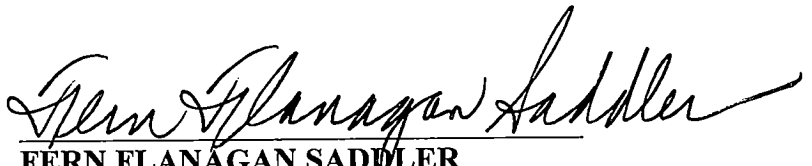
private plaintiffs in a class action suit against Defendant, while the FTC investigation concerns a 2012 Consent Order between Defendant and the FTC. Plaintiff argues that the instant case involves a law enforcement action brought against Defendant, and that discovery in the present case will have no bearing on Defendant's other matters.

The Court finds that a stay is warranted in the present context. The Court notes that Defendant's Reply brief to Plaintiff's Opposition to the Motion to Dismiss is due by March 20, 2019, and that a hearing on Defendant's Motion to Dismiss is set for March 22, 2019. As the Motion to Dismiss is not yet fully briefed and argued before this Court, the Court does not find it is in either party's interest to continue discovery at this time. Therefore, the Court will stay the proceedings pending the resolution of Defendant's Motion to Dismiss.

Accordingly, upon consideration of the representations made, the entire record herein, and for good cause shown, it is this 8th day of March 2019, *nunc pro tunc* March 6, 2019, hereby

ORDERED that Defendant Facebook, Inc.'s Motion for a Protective Order and to Stay Discovery is **GRANTED**. It is

FURTHER ORDERED that all parties shall appear for an Initial Scheduling Conference on **Friday, March 22, 2019 at 3:00 p.m. in Courtroom 100** at the Superior Court of the District of Columbia, 500 Indiana Avenue, Northwest, Washington, D.C. 20001.


FERN FLANAGAN SADDLER
ASSOCIATE JUDGE

COPIES TO:

Benjamin Wiseman, Esquire

Randolph Chen, Esquire

Robyn Bender, Esquire

Jimmy Rock, Esquire

Assistant Attorney Generals for the District of Columbia

Office of the Attorney General for the District of Columbia

(via e-service)

Joshua Lipshutz, Esquire

Chantale Fiebig, Esquire

Counsels for Defendant

(via e-service)